

# ATTACHMENT D

## REPORT OF PLANNING COMMISSION ACTION MARCH 5, 2026

ITEM NO: 7	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-82-25-5 (Canopy at the Trails PUD)
Location:	Northeast corner of 104th Drive and Indian School Road
From:	R1-6, R-4A, C-1, and C-2
To:	PUD
Acreage:	9.29
Proposal:	Planned Unit Development (PUD) to allow single-family attached residential (townhomes)
Applicant:	Michael Buschbacher, Earl & Curley, P.C.
Owner:	Elevation Living, LLC
Representative:	Taylor Earl, Earl & Curley, P.C.

### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 8/13/2025 No quorum.

**Maryvale** 2/11/2026 Approval, per the staff recommendation. Vote: 7-4.

Planning Commission Recommendation: Approval, per the Maryvale Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-82-25-5, per the Maryvale Village Planning Committee recommendation.

Maker: Gorraiz

Second: Matthews

Vote: 7-0

Absent: Busching, Jaramillo

Opposition Present: No

### **Findings:**

1. The proposal will add to the mix of housing types within the Maryvale Village and provide more options for homeownership.
2. The proposed PUD sets forth design and development standards that support efforts from various plans and initiatives, including the Shade Phoenix Plan, the Complete Streets Guiding Principles, the Housing Phoenix Plan, and the Transportation Electrification Action Plan.

Stipulations:

1. An updated Development Narrative for the Canopy at the Trails PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped January 28, 2026, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information to add the following:  
1st Submittal: June 6, 2025  
2nd Submittal: September 30, 2025  
Hearing Draft: January 28, 2026  
City Council Adopted: [Add adoption date].
  - b. Page 5, D. Development Standards, above the Development Standards table, add the following sentence: Any non-residential use shall be subject to the standards of Section 622 (C-1) or Section 623 (C-2) of the Phoenix Zoning Ordinance, respectively, per Table No. 1.b.
  - c. Page 5, D. Development Standards, Minimum Dwelling unit density (unit/gross acre): Revise to "13.35 du/gross acre".
  - d. Page 5, D. Development Standards, Minimum Perimeter Building Setbacks, Not Adjacent to a Public Street, North and South Yard: Update both standards to 5 feet.
  - e. Page 7, D. Development Standards, Elevations and Materials: Move to page 17 in the Design Guidelines section.
  - f. Page 8, Development Standards, Streetscape Standards, Indian School Road, Add after the sidewalk width standard: "All street improvements to Indian School Road shall be reviewed and approved by MCDOT."
  - g. Page 8, Development Standards, Streetscape Standards: Add a row titled "Pedestrian Connectivity" and the following standard: A minimum of one direct pedestrian connection is required between the site and the Monterosa cul-de-sac.
  - h. Page 10, E. Design Guidelines, Section 507 Tab A.II.C.7 – Auto Court Cluster Guidelines, replace first paragraph with the following language, and move above the header for Section 507 Tab A.II.C.7 – Auto Court Cluster Guidelines: Due to the fact that the site has been constructed as per approved plans and has been issued a Certificate of Occupancy by the City of Phoenix, the Design Guidelines for this PUD shall be governed by the existing developments previously approved Site Plan dated May 19, 2023, Building Elevations dated July 15, 2022 and the Landscape Plans dated September 26, 2024, and the modifications listed below from Section 507 Tab A.II.C.7 – Auto Court Clusters, unless and until the subject property is fully redeveloped or otherwise as stated in this PUD.
  - i. Page 17, E. Design Guidelines, after the third paragraph (regarding the open space amenities) add the following:
    - i. Add a new header called "Buildings".
    - ii. Replace the last sentence in the fourth paragraph with "The following shall be provided:"
    - iii. Replace the bulleted list with the one on page 7 (Stipulation No. 1. e).

2. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. The property owner shall record documents that disclose the existence, and operational characteristics of the Glendale Regional Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
4. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, [saneeya.mir@phoenix.gov](mailto:saneeya.mir@phoenix.gov), TTY: Use 7-1-1.